

Docket No.: 28944/50018
(PATENT)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:

Mathias Fink
Application No.: 10/565,617

Confirmation No.: 2357

Filed: February 28, 2007

Art Unit: 3662

For: SOUND-WAVE IMAGING METHOD AND
APPARATUS

Examiner: Luke D. Ratcliffe

RESPONSE TO FINAL OFFICE ACTION DATED AUGUST 18, 2009

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

This is a response to a final office action dated August 18, 2009. In the office action, claims 1-15, 18-24, 26, and 29-31 are rejected as obvious over a combination of the prior art. In response, applicants hereby swear behind U.S. Patent No. 7,496,456 (Hiyama) pursuant to the provisions of 37 CFR 1.131.

The provisions of 37 CFR 1.131 require reduction to practice prior to the effective date of the reference, which has been shown by the declaration filed concurrently with this amendment.

Applicants respectfully submit that U.S. Patent No. 7,496,456 (Hiyama) should be removed as a prior art reference and the obviousness rejections be withdrawn. Although claims 19-21 and 29-30 were rejected under further combinations of prior art in view of Hiyama, these claims are dependent upon claims which were not validly rejected based on the foregoing remarks and the obviousness rejection should also be withdrawn.

In light of the foregoing, applicants respectfully submit that each of the currently pending claims 1-31 are in condition for allowance and respectfully solicit the same. If a telephone call would expedite prosecution of the subject application, the Examiner is invited to call the undersigned agent.

Dated: November 3, 2009

Respectfully submitted,

By 

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